

## **PUBLISHED BY AUTHORITY**

Pursuant to the authority conferred by Sections 413 and 414 of the Municipalities Act, Chapter M-24, S.N. 1999, the Town of Bay Roberts has made the following Anti-Litter Regulations.

Amended and adopted by the Town Council of the Town of Bay Roberts on the 27 day of January, 2009.

Glenn Littlejohn  
Mayor

Shirley Hawe  
Town Clerk

### **ANTI-LITTER REGULATIONS**

1. Title

These regulations may be cited as the Town of Bay Roberts Anti-Litter Regulations.

2. Interpretation

In these regulations, unless the context otherwise requires:

- (1) "Act" means the Municipalities Act, Chapter M-24, S.N. 1999.
- (2) "Council" means the Town Council of the Town of Bay Roberts.
- (3) "Town" means the Town of Bay Roberts.
- (4) "Municipality" means the Town of Bay Roberts.
- (5) "Authorized Receptacle" means a litter storage or collection receptacle that may be approved by Council.
- (6) "Hand Bill" means any printed matter or written matter, circular sample, advertisement, leaflet or paper other than a newspaper.
- (7) "Litter" means any obnoxious substance, waste or unsanitary matter, refuse, garbage, rubbish, ashes, cigarette butts, street cleanings, dead animals or fish, paper wrappings, cardboard boxes, tin cans, leaves, wood, oil or oil products, bedding, crockery, glass bottles and glass in all forms, cement bags, and bags of all description and other matter or thing which if thrown or deposited as herein prohibited tends, or is likely to cause or causes unsightliness within the Town or creates a danger to health, welfare, or public safety and includes, apparently abandoned vehicles, equipment and appliances.
- (8) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.
- (9) "Town Clerk" means the Town Clerk of the Town Council of the Town of Bay Roberts.
- (10) "Nuisance" means any obnoxious substances, animal waste or unsanitary matter or noise; that has an unpleasant effect on the senses.
- (11) "Car Wreck" means vehicle in state of disrepair; ie. unlicensed , no tires, no tire rims, and /or obvious missing parts.

- (12) "Vehicle" means any method of transportation, motorized or non-motorized, used for transporting people or goods such as a truck, car, motor home, trailer, ATV, snowmobile, motorcycle, scooter, bicycle or boat.

3. Litter in Public Places

No person shall throw, abandon, or deposit litter (or allow any litter which has been thrown, abandoned, or deposited by him/her or on his/her behalf) to remain in or upon any street, sidewalk or other public place or public property within the Municipality, except in authorized receptacles for collection.

4. Placement of Litter in Receptacles so as to Prevent Scatterings

Persons placing litter in authorized receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place, or upon private property, or pond, river or stream.

5. Sweeping Litter into Gutters Prohibited

No person shall sweep into or deposit into any gutter, street or other public place within the Town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway or allow the accumulation of litter in front of property of which he/she is owner or occupier. Persons owning or occupying property shall also keep the sidewalk in front of their premises free of litter.

6. Business Parking Areas and Business Houses Responsibility

No person owning or occupying a place of business shall sweep into or deposit into any gutter, street or other public place within the Town the accumulation of litter from any building or lot, or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the town shall keep the side walk or parking areas free of litter.

7. Litter Thrown by Persons in Vehicles

No person while a driver or passenger in a vehicle shall throw or deposit litter of any description upon any street or other place or upon private property within the Town.

8. Truck Loads Causing Litter

- (1) No person shall drive, move or park any truck or other vehicle within the Town unless such vehicle is so constructed, loaded, and covered so as to prevent any load contents or litter from being blown, spilled or deposited upon any street, lane or public place or private property or becoming a nuisance within the Municipality.

- (2) Any such spillage as described in Subsection (1) shall constitute a violation of this regulation.

9. Litter in Parks

No person shall throw or deposit litter in any park within the Town except in authorized receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any street or any part of the park or any other public place or private property. Where authorized receptacles are not provided, all such litter shall be carried away from the park by the persons responsible for its presence and properly disposed of elsewhere as provided herein.

10. Litter in Waterways

No person shall throw or deposit litter in any ditch, pond or stream or other body of water in any park or elsewhere within the Town.

11. Posting Notices Prohibited

No person shall post or affix any notice, poster or other matter or device calculated to attract the attention of the public to any lamp post, public utility pole, tree, or upon any public structure or building except as may be authorized by the Council or required by law.

12. Litter on Private Property

No person shall throw or deposit litter on any private property within the Town, whether the property is owned by such person or not, except that the owner or person in control of private property may maintain authorized receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

13. Scrapping of Vehicles

- (1) It shall be unlawful for any person to demolish or scrap any vehicle on private or public property within the Town, without first having obtained a permit in writing from Council for that purpose, otherwise, scrapping of vehicles will be permitted in designated areas only, ie. Provincial licenced scrap yards.
- (2) The cost of a permit referred to in Subsection (1) of this regulation shall be \$20.00 which amount shall be refunded if the demolished or scrapped vehicle is discarded or dumped at a site approved by Council, within ten (10) days from the date of issue of the permit.
- (3) Council shall have the right to remove from any private or public property any vehicle which has been demolished or scrapped without a permit and recover the cost of doing so from the owner as a civil debt.

14. Order for Disposal of Litter

The Town Clerk or any other person designated by Council is empowered and authorized to order the owner or occupier of any private property within the Town to properly dispose of any or all litter located on such property. Such order shall be by means of a notice signed by the Town Clerk or any other person designated by Council and served upon the owner or occupier.

15. Vehicle Impounding

Failure of the owner to remove a vehicle from a residential or commercial area within the Town where Town officials have deemed it a “nuisance” will result in that vehicle being impounded and all costs related to such removal will be the responsibility of the owner. The Town is not obligated to contact the owner prior to the removal.

16. Council May Carry Out Directions

If any notice issued and served under Section 15 is not complied with or is not so far complied with as the Council regards as reasonable within the time named in the notice, the Council may carry out the directions contained in the notice through its officers, agents, employees or contractors and recover the cost of so doing as a civil debt from the person on whom the notice was served.

17. Enforcement

It shall be the duty of the Municipal Enforcement Officer or any person assigned by the Council to enforce these regulations:

- (1) To report the name and address of any person observed or reliably reported to have violated any of the provisions of these regulations.
- (2) To report the time and nature of the violation of the regulations and any circumstances being relevant to the violation.
- (3) To serve upon the person violating any provision of these regulations a notice that the person concerned has violated a provision of the regulations and instructing such person to carry out any order in regard to such violation within a stated period of time.
- (4) To furnish the Town Clerk a duplicate of each notice of violation.
- (5) These regulations may be enforced by the Royal Canadian Mounted Police, Municipal Enforcement Officer, or any person appointed by Council.

18. Penalties

In accordance with Section 420 of the Municipalities Act, every person who contravenes or fails to comply with any of the provisions of these regulations is guilty of an offence and liable on summary conviction:

- (1) For a first offence to a fine of not less than \$100.00 and not more than \$1000.00 or to a term of imprisonment of not more than thirty (30) days or to both the fine and imprisonment.
- (2) For a subsequent offence to a fine of not less than \$1,000.00 and not more than \$10,000.00 or to a term of imprisonment of not more than ninety (90) days or to both the fine and imprisonment.

19. Adopted and Coming Into Effect

These regulations were adopted by Resolution of Council at a meeting held on the 27 day of January, 2009 and will come into effect on the 28 day of January, 2009.

20. Repealed

All previously adopted Town of Bay Roberts Anti-Litter Regulations are hereby repealed.